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6 IN THE UNITED STATES DISTRICT COURT

7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

8
9 WILLIAM J. WHITSITT,

No. C 08-01803 JSW

10 Plaintiff,

ORDER RE DOCKET NO. 96

11 v.

12 JEAN ZEDLITZ, et al.

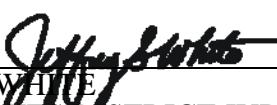
13 Defendants.

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15 On April 16, 2012, the Court issued an Order stating that it would not accept any new
16 filings, pertaining to the pending motion to dismiss, from the parties unless they have sought
17 and obtained leave of court. On July 13, 2012, Plaintiff filed an objection to Defendant's
18 combined reply. However, the Court expressly stated that "Defendant may file a combined
19 reply to the response to the motion to strike and to any **new** issues raised in [plaintiff's] third
20 opposition to the motion to dismiss by no later than May 4, 2012." Therefore, Defendant has
21 not violated the Court's Order. Plaintiff did not, however, seek leave of court to file a sur-reply
22 to the combined reply.

23 The objections raised in Docket No. 96 are not well taken, and the Court strikes it from
24 the record.

25 **IT IS SO ORDERED.**

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27 Dated: July 20, 2012


28 JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM J. WHITSITT et al.

Case Number: CV08-01803 JSW

Plaintiff,

CERTIFICATE OF SERVICE

V.

JEAN ZEDLITZ et al,

Defendant.

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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 20, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

William J. Whitsitt
1763 Ray Wise Lane
Tracy, CA 95376

Dated: July 20, 2012

Jennifer Ottolini

Richard W. Wiekling, Clerk
By: Jennifer Ottolini, Deputy Clerk